

Auto-Reply Facsimile Transmission



TO: Fax Sender at 7039974565

Fax Information

Date Received:

Total Pages:

9/28/2005 10:48:54 PM [Eastern Daylight Time]
 19 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
 Cover
 Page

=====>

09/28/2005 11:45 7039974565 JUDGE PATENT FIRM 10-3" 01/19				
<p>U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE 3000 Crystal Drive, Suite 1200, Arlington, VA 22202-4302</p>				
<p>TRANSMITTAL FORM</p> <p>(To be used for all correspondence after initial filing)</p> <p>Total Number of Pages in this Transmission: 19</p>				
<p>Applicant Number: 10/004,133 Filing Date: June 27, 2003 Firm Name in country: Mochizuki Nipponkai Art Unit: 1702 Examiner Name: Ram N. Kacker Primary Document Number: 38,017-A/G</p>				
<p>ENCLOSURES (Check all that apply)</p> <table border="0"> <tr> <td> <input type="checkbox"/> For Transmittal Form <input type="checkbox"/> Fee Affidavit <input checked="" type="checkbox"/> Petition and Affidavit <input type="checkbox"/> Affidavit Information (v) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Request for Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Previous Document(s) <input type="checkbox"/> Priority to Existing Patent <input type="checkbox"/> Priority to Existing Application <input type="checkbox"/> Priority to Existing Application (under 37 CFR 1.55 or 1.6) </td> <td> <input type="checkbox"/> Drawings <input type="checkbox"/> Literal Independent Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Authorization <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Return <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD </td> <td> <input type="checkbox"/> After Advisees Communication to TC <input type="checkbox"/> Appeal Communication to Team of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Dispute Review, Fee, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other ENCLOSURE (Please identify below) </td> </tr> </table>		<input type="checkbox"/> For Transmittal Form <input type="checkbox"/> Fee Affidavit <input checked="" type="checkbox"/> Petition and Affidavit <input type="checkbox"/> Affidavit Information (v) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Request for Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Previous Document(s) <input type="checkbox"/> Priority to Existing Patent <input type="checkbox"/> Priority to Existing Application <input type="checkbox"/> Priority to Existing Application (under 37 CFR 1.55 or 1.6)	<input type="checkbox"/> Drawings <input type="checkbox"/> Literal Independent Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Authorization <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Return <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Advisees Communication to TC <input type="checkbox"/> Appeal Communication to Team of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Dispute Review, Fee, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other ENCLOSURE (Please identify below)
<input type="checkbox"/> For Transmittal Form <input type="checkbox"/> Fee Affidavit <input checked="" type="checkbox"/> Petition and Affidavit <input type="checkbox"/> Affidavit Information (v) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Request for Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Previous Document(s) <input type="checkbox"/> Priority to Existing Patent <input type="checkbox"/> Priority to Existing Application <input type="checkbox"/> Priority to Existing Application (under 37 CFR 1.55 or 1.6)	<input type="checkbox"/> Drawings <input type="checkbox"/> Literal Independent Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Authorization <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Return <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Advisees Communication to TC <input type="checkbox"/> Appeal Communication to Team of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Dispute Review, Fee, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other ENCLOSURE (Please identify below)		
<p>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</p> <p>Print Name: Judge Patent Firm Signature: [Signature] Printed Name: James W. Judge Date: September 22, 2005 Title: [Blank] Date: [Blank]</p>				
<p>CERTIFICATE OF TRANSMISSION/MAILING</p> <p>I hereby certify that this communication is being transmitted to the USPTO as designated with the United States Patent Office with sufficient postage as required in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22304-1450 on the date shown, below.</p> <p>Transmitted by: [Signature] Date: September 22, 2005</p>				
<p><small>THE INFORMATION ON THIS FORM IS REQUIRED BY 37 CFR 1.55. The information is required to be retained in a form which is to be used by the USPTO in processing the application. The information is required to be retained in a form which is to be used by the USPTO in processing the application. The information is required to be retained in a form which is to be used by the USPTO in processing the application.</small></p>				
<p><small>IF YOU HAVE DIFFICULTY IN COMPLETING THIS FORM, CALL 1-800-PTO-0199 AND REQUEST OPTION 3.</small></p>				
<p>PAGE 1/19 * RCVD AT 9/28/2005 10:48:54 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-624 * DNIS:2738300 * CSID:7039974565 * DURATION (mm-ss):05:36</p>				

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMD 0031-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

22

Application Number

10/604,133

Filing Date

June 27, 2003

First Named Inventor

Masuhiko Natsuhara

Art Unit

1763

Examiner Name

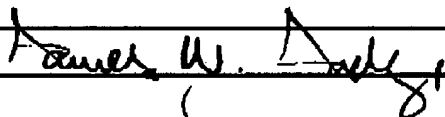
Ram N. Kackar

Attorney Docket Number

39.017-AG**RECEIVED****CENTRAL FAX CENTER****JAN 11 2006****ENCLOSURES (Check all that apply)**


<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Facsimile resubmission statement - 2 pp.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Retransmission of September 28, 2005 reply.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Judge Patent Firm		
Signature			
Printed name	James W. Judge		
Date	January 11, 2006	Reg. No.	42,701

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	James W. Judge	Date	January 11, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

JAN 11 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/604,133 Confirmation No. 1132
Applicant : Masuhiro Natsuhara et al.
Filed : June 27, 2003
T.C./A.U. : 1763
Examiner : Ram N. Kackar
Docket No. : 39.017-AG
Customer No. : 29453

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile Resubmission of Missing Pages of Document (M.P.E.P. 509)

Sir:

On September 28, 2005, Applicants submitted, via facsimile transmission to the USPTO's central fax number, an 18-page reply to the Office action of June 29, 2005 in the patent application identified above. However, the Image File Wrapper for this application contains only the first two pages of Applicants' September 28, 2005 transmission of the reply—the Transmittal Form cover sheet, and page one of the reply itself. Consequently, Applicants' September 28, 2005 was not entered into the File History for this application, nor properly presented to the Examiner.

Nevertheless, Applicants' undersigned representative received an "Auto-Reply Facsimile Transmission" from the USPTO shortly after sending the September 28, 2005 reply. The Auto-Reply Facsimile Transmission, a copy of which is attached hereto, clearly indicates that 19 total pages (not just 2 pages) were received by the Office. That 19-page total represents the 18-page reply plus the 1-page Transmittal Form cover sheet, a copy of which is embedded in the Auto-Reply Facsimile Transmission as return receipt confirmation of the September 28, 2005 transmission.

M.P.E.P. 509 states,

When a document is missing from an application, Office practice is to call the applicant's representative and request submission (generally by facsimile) of a copy of the missing document.

App. No. 10/604,065
Statement dated January 11, 2006
Re: Reply to Office Action of June 29, 2005

Accordingly, on January 10, 2006, the Examiner telephoned Applicants' undersigned representative to request resubmission of the reply so as to have in hand the missing pages.

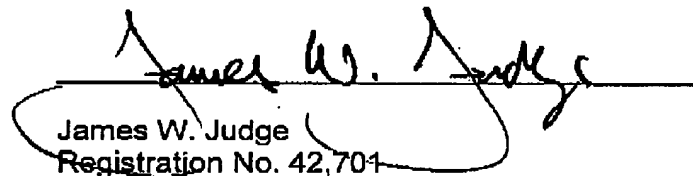
Attached is the September 28, 2005 reply in full, following the Auto-Reply Facsimile Transmission sheet.

M.P.E.P. 509 goes on to state, "[T]he Office will generally treat missing documents in this relatively informal manner (rather than issuing a notice under 37 CFR § 1.251)." Accordingly, it is believed that Applicants have complied in full with the requirements of the Office in order that the Examiner may now have in full before him Applicants' reply of September 28, 2005.

Attachments: 1) Reply of Sept. 28, 2005 – 18 pp.
2) Auto-Reply Facsimile Transmission sheet of same date – 1 p.

Respectfully submitted,

January 11, 2006



James W. Judge
Registration No. 42,701

JUDGE PATENT FIRM
Rivière Shukugawa 3rd Fl.
3-1 Wakamatsu-cho
Nishinomiya-shi, Hyogo 662-0035
JAPAN

Telephone: 305-938-7119
Voicemail/Fax: 703-997-4565